



Attorney's Docket No.: 09943-006001

T.D.
G.S.C.O
REC'D
SEP - 7 2000
TC 3700 MAIL ROOM

Applicant : Timothy N. Jones, et al
Serial No. : 09/264,547
Filed : March 8, 1999
Title : SUBDIVIDING A DIGITAL DENTITION MODEL

Commissioner for Patents
Washington, D.C. 20231

RESPONSE

In response to the action mailed March 23, 2000, please consider the following remarks.

REMARKS

Rejection under 35 U.S.C. § 101

Claims 1-4, 7-10 and 15-192 are rejected under 35 U.S.C. § 101 as directed to non-statutory subject matter. Applicant respectfully requests reconsideration and withdrawal of the rejection.

Claims 121-192 are directed to "a computer program, stored on a tangible storage medium, . . . the program including instructions that, when executed by the computer, cause the computer to" perform various functions. Section IV.B.1.(a) of the PTO's Examination Guidelines for Computer-Related Inventions (Final Version), hereinafter referred to as "the Guidelines," states that "a claimed computer-readable medium encoded with a computer program defines structural and functional interrelationships between the computer program and the medium which permit the computer program's functionality to be realized, and is thus statutory." Applicant therefore respectfully submits that claims 16-30, 37-39, 61-70 and 81-91 are statutory.

Claims 1-120 are directed to a computer-implemented method. The Guidelines state at section IV.B.2.(b) that "To be statutory, a claimed computer-related process must either: (1) result in a physical transformation outside the computer for which a practical application in the technological arts is either disclosed in the specification or would have been known to a skilled

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I hereby certify under 37 CFR § 1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, Washington, D.C. 20231.

August 21, 2000
Date of Deposit
René Curry